

**45-DAY – INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT-ACCESS COMPLIANCE
CONCERNING**

**2007 California Building Code
California Code of Regulations, Title 24, Part 2**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action.

Abbreviations Used:

Administrative Procedure Act (APA)	Americans with Disabilities Act (ADA)
California Building Code (CBC)	California Code of Regulations (CCR)
Chapter (CH or Ch.)	Division of the State Architect-Access Compliance (DSA-AC)
Section (SEC or Sec.)	

SBS – Side-By-Side Analysis prepared by United States Department of Justice (USDOJ). Throughout this document, notation has been included which references documents associated with the Division of the State Architect's ongoing efforts with the USDOJ to certify that the state building code meets or exceeds the ADA Standards for Accessible Design for new construction and alterations. Links to the referenced documents can be found at <http://www.dsa.dgs.ca.gov/Access/adacert.htm>. For example, USDOJ source comments for an item noted: "SBS #540, page 180" would be found on page 180 of the Side-by-Side Analysis.

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE

Item 1. Proposed code change(s):

CH 2 -- DEFINITIONS AND ABBREVIATIONS

SEC 202 – DEFINITIONS

- **HOTEL or MOTEL**
- **MOTEL**

Reason: DSA is repealing these definitions to align with ADA Standards Section 9. The CBC currently defines “Hotel” or “Motel” as containing six or more guest rooms. The ADA Standards define “Transient Lodging” as a building, facility or portion thereof, excluding inpatient medical care facilities that contains one or more dwelling units or sleeping accommodations. An exception is provided only in the case of a lodging house located within a building that contains not more than five rooms for rent or hire when it is actually occupied by the proprietor as the residence of the proprietor.

Item 2. Proposed code change(s):

CH 2 -- DEFINITIONS AND ABBREVIATIONS

SEC 202 – DEFINITIONS

- **PUBLIC ACCOMMODATION**

Reason: DSA is amending this definition to provide clarity regarding the meaning of the first sentence, specifically the phrase “... or other specific public use facilities not listed in Items 1 through 12 if they fall into one or more of the following categories ...”. The language was amended to clarify that a public accommodation includes public use buildings or facilities that may be classified into one or more of the listed categories. Two additional amendments are made to this definition to correct typographical errors inadvertently made during the 2001 and 2007 rulemaking cycles. In Item #11 under categories, “... open to the general public” is amended to read “... open to public use”, consistent with the 2001 CBC. In Item #5 under examples, “retail” was amended to read “rental” consistent with the regulations implementing Title III of the Americans with Disabilities Act. The term “rental establishment” refers to public accommodations that rent equipment, vehicles, clothing, etc., for example video stores, car rental facilities, or costume rental shops. It does not refer to rented residential units, for example individual apartments.

Item 3. Proposed code change(s):

CH 2 -- DEFINITIONS AND ABBREVIATIONS

SEC 202 – DEFINITIONS

- **TOEBOARD**

Reason: DSA is repealing this definition in coordination with Department of Housing and Community Development (HCD). The term as defined is not used in Chapter 11A. The term is only used in Section 1133B.3 referring to the toeboard along the base of a cabinet; therefore, the definition is no longer necessary for HCD 1A/C and DSA use.

Item 4. Proposed code change(s):

CH 2 -- DEFINITIONS AND ABBREVIATIONS

SEC 202 – DEFINITIONS

- **TOWNHOUSE**

Reason: DSA-AC is repealing this definition in coordination with Department of Housing and Community Development (HCD). The term as defined in the 2006 IBC (model code) is not applicable to accessibility standards. Multistory Dwelling Units is the correct term and is defined in Chapter 11A. The change provides clarity and consistency for the code user.

Item 5. Proposed code change(s):

CH 10 -- MEANS OF EGRESS

- **SEC 1012 -- HANDRAILS**

Reason: DSA is amending this section to incorporate a reference to the Chapter 11B requirements for handrails at ramps which was inadvertently omitted during the 2006 Rulemaking Cycle. A comma is being deleted to correct a grammatical error. This amendment does not create a change in regulatory effect.

Item 6. Proposed code change(s):

CH 11B -- ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLICLY FUNDED HOUSING

SEC 1102B – DEFINITIONS

- **COMPLY WITH**
- **IF, IF ... THEN**
- **MAY**
- **SHALL**
- **SHOULD**

Item 6.1 Related code change(s):

CH 2

SEC 202 – DEFINITIONS

- **SHALL**
- **SHOULD**

Reason: SBS #9, Page 4 – ADA Standards Section 3.4. The CBC currently does not contain definitions for all of the general terminology items found within ADA Standards Section 3.4. This section is being added to provide definitions for those general terminology items in a single location within Chapter 11B. Chapter 2, Section 202 definitions of “SHALL” and “SHOULD” are related items being amended to avoid duplication and to cross reference Chapter 11B. These amendments do not create a change in regulatory effect.

Item 7. Proposed code change(s):

CH 11B

SEC 1102B – DEFINITIONS

- **CURB RAMP**

Reason: DSA is amending this definition to correct a grammatical error. The terms currently used, “between” and “to”, are not in agreement. This amendment does not create a change in regulatory effect.

Item 8. Proposed code change(s):

CH 11B

SEC 1102B – DEFINITIONS

- **LIFT, PLATFORM**
- **PLATFORM (WHEELCHAIR) LIFT**

Item 8.1 Related code change(s):

CH 2 -- DEFINITIONS AND ABBREVIATIONS

SEC 202 -- DEFINITIONS

- **LIFT, PLATFORM (WHEELCHAIR)**
- **PLATFORM (WHEELCHAIR) LIFT**

Item 8.2 Related code change(s):

CH 10 --MEANS OF EGRESS

SEC 1007 -- ACCESSIBLE MEANS OF EGRESS

- **1007.5 Platform lifts**

Item 8.3 Related code change(s):

CH 11B -- ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLICLY FUNDED HOUSING

SEC 1114B -- EXIT ACCESS

1114B.1.1 General

- **Platform (Wheelchair) Lifts**

Item 8.4 Related code change(s):

SEC 1116B -- ELEVATORS AND PLATFORM (WHEELCHAIR) LIFTS

- **1116B.2 Platform (Wheelchair) Lifts**
- **1116B.3 When provided as a means of egress**
- **1116B.3.1 Standby power**
- **1116B.3.2**

Item 8.5 Related code change(s):

SEC 1120B -- DEFINITIONS

- **1120B.1 Floors Within Each Story**

Item 8.6 Related code change(s):

CH 30 -- ELEVATORS AND CONVEYING SYSTEMS

SEC 3001 -- GENERAL

- **3001.1 Scope**
- **3001.3 Accessibility**

Reason: SBS #537, Page 179 – ADA Standards Section 4.22.6. DSA is amending the definition to be consistent with terminology used in the 2007 CBC, Chapter 10, Section 1007. The term Special Access (Wheelchair) Lift is being replaced with the term Platform (Wheelchair) Lift. All related code change(s) are being amended for consistency (see Related Code Change(s) 6.1 through 6.6). This change in terminology is also consistent with the new federal Access Board guidelines. These amendments do not create a change in regulatory effect.

Item 9. Proposed code change(s):

CH 11B

SEC 1102B -- DEFINITIONS

- **TEXT TELEPHONE**

Reason: DSA is amending this definition to be consistent with the new federal ADA-ABA guidelines which indicate TTY is “An abbreviation for teletypewriter. Machinery that employs interactive text-based communication through the transmission of coded signals across the telephone network. ...”

Item 10. Proposed code change(s):

CH 11B

SEC 1104B – ACCESSIBILITY FOR GROUP A OCCUPANCIES

1104B.3 Auditoriums, assembly halls, theaters and related facilities

- **1104B.3.3 Variety of locations**

Reason: SBS #671, Page 215 – ADA Standards Section 4.33.3. CBC Section 1104B.3.3 currently does not align with ADA Standards Section 4.33.3 because hotels and motels are excluded from the accessible seating requirements. This section is being amended, per USDOJ recommendation, to remove the language excluding hotels and motels.

Item 11. Proposed code change(s):

CH 11B

SEC 1104B -- ACCESSIBILITY FOR GROUP A OCCUPANCIES

1104B.3 Auditoriums, assembly halls, theaters and related facilities

1104B.3.4 Wheelchair spaces

- **1. The number of such spaces**

Reason: CBC Section 1104B.3.4 Item 1 currently requires, in Group A occupancies, aisle seats with no armrests on the aisle side, or removable or folding armrest on the aisle, be identified by a sign or marker. DSA is amending this section to require that the sign or marker includes the International Symbol of Accessibility. This section is being further amended to include a reference to the applicable signage code sections.

Item 12. Proposed code change(s):

CH 11B

SEC 1104B -- ACCESSIBILITY FOR GROUP A OCCUPANCIES

1104B.4 Stadiums, grandstands, bleachers, athletic pavilions, gymnasiums and miscellaneous sports-related facilities

- **1104B.4.3 Participation areas (Items 4 through 4.1.5)**

Reason: DSA is amending this code section to be consistent with the general terminology used elsewhere in Chapter 11B. The word “must” is being replaced with the word “shall”. This amendment does not create a change in regulatory effect.

Item 13. Proposed code change(s):

CH 11B

SEC 1104B -- ACCESSIBILITY FOR GROUP A OCCUPANCIES

1104B.5 Dining, banquet and bar facilities

- **1. General**
- **3. Raised or sunken areas**

Reason: SBS #713, Page 226 – ADA Standards Section 5.7. The CBC currently does not contain provisions specifically addressing accessibility of raised platforms where a head table or speaker's lectern may be located, or edge protection at raised or sunken areas. This section is restructured placing the requirement for accessibility at all areas where each type of functional activity occurs into Section 1104B.5 Item 1. Section 1104B.5 Item 3 was renamed and amended to align with ADA Standards Section 5.7.

Item 14. Proposed code change(s):

CH 11B

SEC 1106B – ACCESSIBILITY FOR GROUP E OCCUPANCIES

1106B.4 Library general use areas

- **5. Reading and study areas**
- **6. Check-out areas**

Reason: SBS #746 & 747, Page 237 – ADA Standards Section 8.2 & 8.3. The CBC currently does not contain provisions for accessible reading and study areas or check-out areas located in library general use areas. This section is being amended by adopting items #5 and #6 in alignment with ADA Standards Section 8.2 and 8.3. The list of examples in item #5 is being expanded to include the requirement for accessibility at computer or similar workstations.

Item 15. Proposed code change(s):

CH 11B

SEC 1109 – ACCESSIBILITY FOR GROUP I OCCUPANCIES

1109B.3 Patient bedrooms and toilet rooms

- **Exceptions: 1 & 2**

Reason: SBS #723 & 724, Page 229 & 230 – ADA Standards Section 6.1(4)(a) & 6.1(4)(b). The CBC currently does not contain the scoping provisions concerning alterations to patient bedrooms and associated toilet facilities in Group I Occupancies. This section is being amended by adopting Exceptions #1 and #2 to align with ADA Standards Section 6.1(4).

Item 16. Proposed code change(s):

CH 11B

SEC 1111B – ACCESSIBILITY FOR GROUP R OCCUPANCIES

1111B.4 Hotels, motels, inns, dormitories, resorts, homeless shelters, halfway houses, transient group homes and similar places of transient lodging

- **1111B.4.6 Bathrooms in hotels, motels, inns, dormitories, resorts, homeless shelters, halfway houses, transient group homes and similar places of transient lodging**

Reason: DSA is relocating the requirements found in the exception to the code section to eliminate confusion for code users. This code section specifies that accessible bathrooms for places of transient lodging comply with a given list of items. The location of the exception following the driving language and before the list of items resulted in misinterpretation for some code users. Relocating the requirements for hotel and motel bathrooms provided beyond those required to be accessible by Section 1111B.4, to follow the list of items required in accessible facilities, will eliminate confusion and misinterpretation. This amendment does not create a change in regulatory effect.

Item 17. Proposed code change(s):

CH 11B

SEC 1111B – ACCESSIBILITY FOR GROUP R OCCUPANCIES

1111B.4 Hotels, motels, inns, dormitories, resorts, homeless shelters, halfway houses, transient group Homes and similar places of transient lodging

- **1111B.4.7 Storage areas**
- **1111B.4.8 Dormitory rooms**

Reason: SBS #770, Page 244 – ADA Standards Section 9.2. The CBC currently does not contain specific provisions for accessible fixed or built-in storage facilities in transient lodging facilities. Section 1111B.4.7 is being adopted to align with ADA Standards Section 9.2. Existing section 1111B.4.7 (Dormitory rooms) is renumbered as 1111B.4.8.

Item 18. Proposed code change(s):

CH 11B

SEC 1115B – BATHING AND TOILET FACILITIES (SANITARY FACILITIES)

1115B.3 Toilet facilities

1115B.3.1 Multiple-accommodation toilet facilities

2. Clear floor space at fixtures

- **Exception**

Reason: DSA is amending this section to be consistent with amendments made to Figure 11B-1B during the 2006 Rulemaking Cycle. An exception to the requirement that doors shall not swing into the clear floor space required for any fixture is being added to 1115B.3.1, Item 2 to coordinate with the amendment to Figure 11B-1B depicting an optional in-swinging door configuration with associated clearances at an accessible water closet compartment.

Item 19. Proposed code change(s):

CH 11B

SEC 1115B – BATHING AND TOILET FACILITIES (SANITARY FACILITIES)

1115B.3 Toilet facilities

1115B.3.1 Multiple-accommodation toilet facilities

- **3. Accessible fixtures**

Reason: SBS #537, Page 179 – ADA Standards Section 4.22.6. The CBC currently does not contain scoping provisions related to accessibility of lavatories. This section (Item #3) is being amended to align with ADA Standards Section 4.22.6.

Item 20. Proposed code change(s):

CH 11B

SEC 1115B – BATHING AND TOILET FACILITIES (SANITARY FACILITIES)

1115B.3 Toilet facilities

1115B.3.1 Multiple-accommodation toilet facilities

4. Accessible water closet compartment.

- **4.5. The inside and outside of the compartment door ...**

Reason: DSA is amending this section (Item #4.5) to clarify the maneuvering space requirements at an accessible water closet compartment door in a multiple-accommodation toilet facility. The current language brought forward from the 2001 CBC into the 2007 CBC could be misinterpreted to mean that a 48 inch minimum clear space is the only requirement for the space immediately in front of a water closet compartment. The maneuvering space must comply with the requirements in Section 1133B.2.4.2 and 1133B.2.4.3 and, in addition, in no case shall the maneuvering space immediately outside of the water closet compartment be less than 48 inches.

Item 21. Proposed code change(s):

CH 11B

SEC 1115B – BATHING AND TOILET FACILITIES (SANITARY FACILITIES)

1115B.4 Accessible fixture

1115B.4.4 Accessible showers

- **1115B.4.4.4 Water controls**

Reason: DSA is amending this section (1115B.4.4.4) to replace the height range for water controls in accessible showers which was inadvertently omitted during the 2006 rulemaking cycle. Figure 37 of the ADA Standards requires water controls to be located between 38 to 48 inches above the shower floor. The 2001 CBC, Section 1115B.6.2.4.1 required water controls to be mounted 40 inches (plus or minus 1 inch) above the shower floor. During the 2006 rulemaking cycle the plus or minus 1 inch tolerance language was deleted per USDOJ recommendation, but was not replaced with a corresponding height range. A height range of 39 to 41 inches is consistent with the 2001 CBC and falls within the ADA Standards range of 38 to 48 inches.

Item 22. Proposed code change(s):

CH 11B

SEC 1115B – BATHING AND TOILET FACILITIES (SANITARY FACILITIES)

- **1115B.6 Identification symbols**
- **1115B.6.1 Men’s sanitary facilities ...**
- **1115B.6.2 Women’s sanitary facilities ...**
- **1115B.6.3 Unisex sanitary facilities ...**

Reason: DSA is restructuring and amending this section to clarify the identification symbol requirements at sanitary facilities. The section is being restructured to more clearly state the requirements for identification symbols at men’s, women’s and unisex sanitary facilities. Additional requirements for the edges of signs to be rounded, chamfered or eased and for corners of signs to have a minimum radius of 1/8 inch are being added in an attempt to prevent fingertip injuries. At unisex facilities, the current code requires a 12-inch diameter circle with a triangle superimposed on the circle and within the 12 inch diameter. When the triangle is the same or nearly the same color as the circle, it is essentially invisible to persons with vision impairments, and the restroom appears to be a facility for females rather than a unisex facility. DSA is adding the requirement that the triangle contrasts either light on dark or dark on light with the circle, consistent with signage requirements found elsewhere in this chapter.

Item 23. Proposed code change(s):

CH 11B

SEC 1115B – BATHING AND TOILET FACILITIES (SANITARY FACILITIES)**1115B.8 Accessories****1115B.8.1 Mirrors**

- **1115B.8.1.1**
- **1115B.8.1.2**
- **1115B.8.1.3**

Reason: SBS #537, Page 179 – ADA Standards Section 4.22.6. DSA is restructuring and amending this section to clarify scoping and technical requirements related to accessibility of mirrors. Section 1115B.8.1.1 is being amended to provide scoping requirements for mirrors located above lavatories or countertops consistent with ADA Standards Section 4.22.6. Existing technical requirements are being amended for consistency with federal ADA-ABA Section 603.3. Section 1115B.8.1.2 is a new provision providing scoping and technical requirements for mirrors at locations other than above lavatories or countertops consistent with federal ADA-ABA Section 603.3. Section 1115B.8.1.3 is a new reference to the scoping and technical requirements for mirrors in fitting and dressing areas located in CBC Section 1117B.8.

Item 24. Proposed code change(s):

CH 11B

SEC 1116B – ELEVATORS AND SPECIAL ACCESS (WHEELCHAIR) LIFTS**1116B.1 Elevators**

- **1116B.1.8 Car inside**

Reason: SBS #403, Page 133 – ADA Standards Section 4.10.10. The CBC currently does not contain a specific requirement that elevator floor surfaces comply with the requirements for accessible ground and floor surfaces. This section is being amended to align with ADA Standards Section 4.10.10 by adding a reference to the requirements for ground and floor surfaces located in CBC Section 1124B. This amendment does not create a change in regulatory effect.

Item 25. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

- **1117B.1 Accessible drinking fountains**

Reason: DSA is relocating the requirements for accessible drinking fountains from Section 1115B - BATHING AND TOILET FACILITIES (SANITARY FACILITIES) to a more appropriate location within Section 1117B - OTHER BUILDING COMPONENTS. This amendment does not create a change in regulatory effect.

Item 26. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

1117B.2 Telephones

- **1117B.2.1 General (Table)**

Reason: DSA is amending this table to clarify the minimum number of telephones required to be accessible where telephones are provided. The quantity of telephones required to comply with Section 1117B.2 have been restated to be grammatically correct and avoid misinterpretation. The phrase "1 or at least 50 percent of telephone units per floor" has been replaced with the phrase "at least 50 percent of telephone units per floor but not less than one". A similar replacement was made for telephone units per bank.

Item 27. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

1117B.2 Telephones

- **1117B.2.8 Telephone equipment for hearing impaired persons**

Reason: SBS #168, Page 57 – ADA Standards Section 4.1.3(17) (b). The CBC currently does not require that all telephones required to be accessible shall be equipped with a volume control, it only requires that if public telephones are provided then 25 percent, but not less than one, shall be equipped with a volume control. This section is being amended to align with the ADA Standards Section 4.1.3(17) (b) which includes both requirements.

Item 28. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

1117B.2 Telephones

1117B.2.9 Text telephones

1117B.2.9.2 General

- **3. Equivalent facilitation may ...**

Reason: DSA is amending this section to include a reference to the applicable signage code sections. This amendment does not create a change in regulatory effect.

Item 29. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

- **1117B.5 Signs and identification**

Reason: DSA is amending this section to both eliminate a grammatical error and to correct a reference inaccuracy. It is grammatically incorrect to state that standards or codes are "larger and wider" than Federal law. DSA is proposing to delete this language. The reference to Section 4.30 is being corrected to indicate that it is located in the ADA Standards for Accessible Design, not in the body of the law itself. These amendments do not create a change in regulatory effect.

Item 30. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

1117B.5 Signs and identification

- **1117B.5.6 Braille**

Item 30.1 Related code change(s):

CH 11B

SEC 1116B – ELEVATORS AND SPECIAL ACCESS (WHEELCHAIR LIFTS)

- **1116B.1.9 Car controls**
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Item 30.2 Related code change(s):

CH 11B

SEC 1116B – ELEVATORS AND SPECIAL ACCESS (WHEELCHAIR LIFTS)

- **1116B.1.14 Doorjamb marking**

Item 30.3 Related code change(s):

CH 11B

SEC 1117B – OTHER BUILDING COMPONENTS

- **1117B.5.5 Raised characters and pictorial symbol signs**

Reason: DSA is amending this section to provide consistent terminology when referring to Grade 2 or Contracted Braille. “Grade 2 Braille” and “Contracted Braille” are different terms used to describe the same method of using standardized contractions to save space when printing Braille. This section and other related sections are being amended to use the term Contracted (Grade 2) Braille consistently throughout Chapter 11B. This amendment does not create a change in regulatory effect.

Item 31. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

1117B.5 Signs and identification

1117B.5.8 Symbols of accessibility

1117B.5.8.1 International symbol of accessibility

- **1117B.5.8.1.2 Entrance signs**

Reason: DSA is amending this section to add an existing buildings and facilities qualifier to the requirement for providing directional signage when all entrances are not accessible. This qualifier was inadvertently omitted during the 2006 rulemaking cycle. In new construction, all entrances are required to be accessible, and therefore the requirement for directional signage at inaccessible entrances is not applicable.

Item 32. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

1117B.6 Controls and operating mechanisms

5. Installation heights of electrical switches and receptacle outlets

- **5.1 Electrical switches**

Reason: DSA is amending this section to be consistent with amendments Department of Housing and Community Development made to Chapter 11A, Section 1136A.2 during the 2004 rulemaking cycle. Currently Chapter 11B, Section 1117B.6 item 5.1 requires an absolute dimension of 48 inches for the height of electrical switches. DSA is amending this section to require a height range of between 48 inches maximum and 15 inches minimum above the finished floor, and also to provide clarification on how the heights should be measured.

Item 33. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

1117B.6 Controls and operating mechanisms

5. Installation heights of electrical switches and receptacle outlets

- **5.2 Electrical receptacle outlets**

Item 33.1 Related code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

1117B.6 Controls and operating mechanisms

- **3. Height**

Reason: DSA is amending this section to be consistent with amendments Department of Housing and Community Development made to Chapter 11A, Section 1136A.1 during the 2004 rulemaking cycle. Currently Chapter 11B, Section 1117B.6 item 5.2 requires a height range of between 48 inches maximum and 15 inches minimum above the finished floor. DSA is amending this section to provide clarification on how the heights should be measured. A related change is being made Section 1117B.6 item 3 to eliminate duplication. ...

Item 34. Proposed code change(s):

CH 11B

SEC 1117B -- OTHER BUILDING COMPONENTS

- **1117B.9 Accessible sinks**
- **1. A clear floor space**
- **2. Each accessible sink**
- **3. Faucet controls**

Reason: DSA is relocating the requirements for sinks from Section 1115B - BATHING AND TOILET FACILITIES (SANITARY FACILITIES) to a more appropriate location within Section 1117B - OTHER BUILDING COMPONENTS. In addition, DSA is amending this section to eliminate duplicative requirements for accessible kitchen sinks and noncommercial kitchen and counter bar sinks, and provide a single set of requirements for accessible sinks. This amendment does not create a change in regulatory effect.

Item 35. Proposed code change(s):

CH 11B

SEC 1118B – SPACE ALLOWANCE AND REACH RANGES

- **1118B.1 Wheelchair passage width**

Item 33.1 Related Code Change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.6 Aisles

1133B.6.1 General

- **1133B.6.2 Width**

Reason: DSA is amending these sections to provide a reference to the additional requirements for circulation around obstructions provided in Figure 11B-5E (a) and (b). These additional requirements for circulation around obstructions are often overlooked by designers because a reference to them is not provided in the Chapter 11B code provisions for wheelchair passage widths and aisle widths. This change does not create a change in regulatory effect.

Item 36. Proposed code change(s):

CH 11B

SEC 1118B – SPACE ALLOWANCE AND REACH RANGES

1118B.4 Clear floor or ground space for wheelchairs

- **3. Surfaces for wheelchair spaces**

Reason: SBS #275, Page 93 – ADA Standards Section 4.2.4.3. The CBC currently does not contain a specific requirement that clear floor or ground spaces for wheelchairs comply with the requirements for accessible ground and floor surfaces. This section (Item #3) is being adopted to align with ADA Standards Section 4.2.4.3 by adding a reference to the requirements for ground and floor surfaces located in CBC Section 1124B. This amendment does not create a change in regulatory effect.

Item 37. Proposed code change(s):

CH 11B

SEC 1129B – ACCESSIBLE PARKING REQUIRED

1129B.3 Parking space size

- **3. Arrangement of parking space**
- **4. Slope of parking space and access aisle**

Reason: SBS #326 & 327, Pages 111 & 112 – ADA Standards Section 4.6.3. The CBC currently aligns with ADA Standards Section 4.6.3; however language regarding slope requirements at accessible parking spaces is duplicated in Section 1129B.4 Items 4 and 5. This section is being amended to remove duplicative language found in Section 1129B.4 Item 3, and to add provisions for slope at access aisles to Section 1129B.4 Item 4. This amendment does not create a change in regulatory effect.

Item 38. Proposed code change(s):

CH 11B

SEC 1129B – ACCESSIBLE PARKING REQUIRED

- **1129B.3 Parking space size**
 - 1. Dimensions
 - 2. Van spaces(s)
- **1129B.4 Identification of parking spaces for off-street parking facilities**

Reason: The objective of these proposed code changes is to comply with the intent of AB 1531 (Chapter 413), which revised GC§ 14679 and VC§ 22511.8. Existing 2007 CBC provisions require accessible parking spaces to be identified by signs and markings in compliance with Section 1129B. As a result of the revisions to GC§ 14679 and VC§ 22511.8, a method and color(s) for marking the loading and unloading access aisles at accessible parking spaces is specified. Further, all new and replacement signs designating an accessible parking space must conspicuously state the minimum fine imposed on a person who parks a vehicle without the necessary special license plate or distinguishing placard. Additional language is being proposed to clarify the requirements for striping within the loading and unloading access aisle. Under GC§ 14679(c) and VC§ 22511.8(b), the Department of General Services under the DSA is directed to develop regulations pursuant to GC§ 4450, as appropriate, to ensure compliance with the new requirements. The provisions of this bill are to become effective on July 1, 2008.

Item 39. Proposed code change(s):

CH 11B

SEC 1129B – ACCESSIBLE PARKING REQUIRED

- **1129B.4 Identification of parking spaces for off-street parking facilities**

Reason: The objective of this proposed code change is to comply with the intent of AB 1531 (Chapter 413), which revised VC§ 22511.8. DSA-AC is amending 1129B.4 to be consistent with the new signage text requirements contained in VC§ 22511.8(e). The provisions of this bill are to become effective on July 1, 2008.

Item 40. Proposed code change(s):

CH 11B

SEC 1129B – ACCESSIBLE PARKING REQUIRED

- **1129B.4 Identification of parking spaces for off-street parking facilities**

Reason: DSA is amending signage requirements in this section (2nd paragraph) in coordination with Department of Housing and Community Development (HCD). Currently Chapter 11A, Section 1109A.8.8 and Chapter 11B, Section 1129B.4 require an additional sign mounted below the symbol of accessibility stating “Van-Accessible”. DSA and HCD are proposing to amend these sections to require an additional sign or additional language stating “Van Accessible” (hyphen has been eliminated) below the symbol of accessibility. This change would clarify that all required identifying information may be placed on the same parking space sign.

Item 41. Proposed code change(s):

CH 11B

SEC 1129B – ACCESSIBLE PARKING REQUIRED

- **1129B.4 Identification of parking spaces for off-street parking facilities**

Reason: DSA is amending this section (4th paragraph) to clarify the requirements for signage at off-street parking facilities. Currently this section requires an additional sign posted either at each entrance to an off-street parking facility or immediately adjacent to and visible from “each stall or space” within the parking facility. This section is being amended to clarify that the additional signage is to be placed adjacent to and visible from “each accessible stall or space”.

Item 42. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.1 Building accessibility

1133B.1.1 Entrances

1133B.1.1.1 Entrances and exterior ground floor exit doors

- **1133B.1.1.1.5 Service entrances**

Item 42.1 Related code change(s):

CH 2

SEC 202 – DEFINITIONS

- **SERVICE ENTRANCE**

Reason: SBS #442, Page 148 – ADA Standards Section 4.14.2. CBC Chapter 11B currently does not contain a provision addressing the use of service entrances as the sole accessible entrance to a building or facility. This section is being added to align with ADA Standards Section 4.14.2. A qualifier applying this provision to existing buildings and facilities only was added because the CBC currently requires that all entrances to buildings and facilities shall be made accessible in new construction. In a related code change, DSA is adopting the existing definition of ‘service entrance’ in Chapter 2, Section 202 Definitions.

Item 43. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.2 Doors

- **1133B.2.5 Door opening force**

Reason: The intent of this code change is to address the following issues:

1. Clarify the method of measuring the force required to open a door for hinged and sliding or folding doors.
2. Clarify the maximum force permitted to open fire, exterior, and interior doors.
3. Provide an exception to the maximum force permitted to open exterior doors to machinery spaces.
4. Provide an exception to the maximum force permitted to open exterior doors when 1 of 8 doors leafs at a location is provided with a powered door leaf.

This proposal retains the 5 pounds-force maximum effort at exterior doors currently in effect and provides an alternate method of providing accessible exterior doors. The alternate method would require one of every 8 exterior door leafs at a single location to be a powered door while permitting other exterior doors at the same location, serving the same interior space, a maximum opening force of 8.5 pounds-force. The powered door leaf would be required to be closest to the accessible route; provided with back-up battery or generator at occupancies of 150 or more; and provided with door signage, including an International Symbol of Accessibility above the powered door when it occurs at an Assembly Occupancy with 300 or more occupants. The powered door would be controlled by a sensing device, push-plate or vertical actuation bar placed in a conspicuous location. The push-plates or vertical actuation bars would permit door activation at standard door-hardware height and also at a low level - by the foot or wheelchair foot pedal.

Item 44. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.3 Corridors, hallways and exterior exit balconies

- **1133B.3.2 Corridors and hallways over 200 feet (60 960 mm)**

Reason: DSA is amending this section to replace text that was errantly omitted when 1995 CBC language was brought forward into the 1998 CBC. The 1995 CBC, Section 1133B.3.3 required that, “Corridors which are located on an accessible route and exceed 200 feet (60 960 mm) in length shall have a minimum clear width of 60 inches (1524 mm). If an accessible route has less than 60 inches (1524 mm) clear width, then passing spaces at least 60 inches by 60 inches (1524 mm by 1524 mm) shall be located at reasonable intervals not to exceed 200 feet (50 960). A T-intersection ...”. The 1998 CBC, Section 1133B.3.2 stated, “Corridors and hallways that are located on an accessible route and exceed 200 feet (60 960 mm) in length shall have a minimum clear width of 60 inches (1524 mm), then passing spaces at least 60 inches by 60 inches (1524 mm by 1524 mm) shall be located at reasonable intervals not to exceed 200 feet (60 960 mm). A “T” intersection ...”. DSA is amending this section to replace the missing text and to clarify the requirements for corridors and hallways over 200 feet in length.

Item 45. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.4 Stairways

1133B.4.1 Handrails

- **1133B.4.1.1 Required handrails**

Reason: DSA is amending this section to be consistent with model code language from the 2006 International Building Code / 2007 California Building Code which incorporated new Chapter 10 requirements for spacing of intermediate handrails. However, a corresponding change for Chapter 11B was not proposed during the 2006 Rulemaking. The proposed change would align the requirements for intermediate handrails in Section 1133B.4.1.1 with those in Section 1012.8.

Item 46. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.4 Stairways

- **1133B.4.4 Striping for the visually impaired**

Reason: DSA is amending this section to be consistent with amendments Department of Housing and Community Development (HCD) made to Chapter 11A, Section 1123A.5 during the 2004 rulemaking cycle, and to be consistent with amendments being proposed by HCD as part of the 2007 rulemaking cycle. Currently 2007 CBC, Section 1133B.4.4 provides a 2 inch minimum dimension for the width of contrasting striping on stairways, but does not provide a maximum dimension. The amendment to this section clarifies the requirements for striping for the visually impaired at both interior and exterior stairways. Additionally, the term “strip” is being replaced with the term “stripe” throughout this section for consistency with the section title.

Item 47. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.4 Stairways

- **1133B.4.5 Stair treads, risers and nosing**
- **1133B.4.5.1 Treads**
- **1133B.4.5.2 Risers**
- **1133B.4.5.3 Nosing**

Item 47.1 Related code change(s):

CH 2 – DEFINITIONS AND ABBREVIATIONS

SEC 202 DEFINITIONS

- **TREAD DEPTH**
- **TREAD RUN**

Item 47.2 Related code change(s):

CH 11B

SEC 1102B – DEFINITIONS

- **NOSE, NOSING**
- **OPEN RISER**
- **RISER**
- **TREAD DEPTH**
- **TREAD RUN**

Reason: DSA is amending these sections and definitions to clarify the requirements for treads, risers and nosings at stairs. Portions of Section 1133B.4.5 are being relocated and/or restructured to provide clarity and maintain consistency with Chapter 10. Language regulating stair riser heights is being copied from Chapter 10, Section 1009.3 into Section 1133B.4.5 to provide requirements for stair thread depths and riser heights in a single location. The permissible riser slope remains the same, but it is measured relative to the vertical rather than the horizontal consistent with Chapter 10. The projection of a nosing past the face of the riser below is being changed from 1-1/2” to 1-1/4” consistent with the requirements of Chapter 10. The definition of “Nosing” is being amended to include a reference to nosing at a landing similar to the Chapter 10 definition. The definition of “Open Riser” is being amended to correct a typographical error inadvertently incorporated into the 1998 CBC. The existing definition of “Riser” appears to describe the height of a riser rather than the riser itself,

and is being replaced with a more accurate definition. The definition of “Tread Depth” conflicts with the method of measurement indicated in the ADA Standards and CBC Section 1133B.4.5.3. The definitions of “Tread Depth” and “Tread Run” are being deleted as these terms are not used.

Item 48. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.5 Ramps

- **1133B.5.1 General**
- **1133B.5.2 Width**
- **1133B.5.3 Slope**

Item 48.1 Related code change(s):

CH 11B

SEC 1102B – DEFINITIONS

- **CURB RAMP**
- **LEVEL RAMP**
- **RAMP**

Item 48.2 Related code change(s):

CH 11B

SEC 1104B – ACCESSIBILITY FOR GROUP A OCCUPANCIES

1104B.3 Auditoriums, assembly halls, theaters and related facilities

- **1104B.3.5 Placement of wheelchair locations**
- **1104B.3.11 Stages, enclosed and unenclosed platforms, and orchestra pits**

Item 48.3 Related code change(s):

CH 11B

SEC 1115B – BATHING AND TOILET FACILITIES (SANITARY FACILITIES)

1115B.4.4 Accessible showers

- **1115B.4.4.7 Floor slope**

Item 48.4 Related code change(s):

CH 11B

SEC 1121B – TRANSPORTATION FACILITIES

1121B.2 Bus stops and terminals

- **1121B.2.1 New construction**

Item 48.5 Related code change(s):

CH 11B

SEC 1124B – CHANGES IN LEVEL

- **1124B.2 Changes in level**

Item 48.6 Related code change(s):

CH 11B

SEC 1127B – EXTERIOR ROUTES OF TRAVEL

1127B.5 Curb ramps

- **1127B.5 item 3**
- **1127B.5 item 4**

Item 48.7 Related code change(s):

CH 11B

- **SEC 1128B – PEDESTRIAN GRADE SEPARATIONS (OVERPASSES AND UNDERPASSES)**

Item 48.8 Related code change(s):

CH 11B

SEC 1129B – ACCESSIBLE PARKING REQUIRED

- **1129B.3 Parking space size, item 5**
- **1129B.3 Parking space size, item 6**

Item 48.9 Related code change(s):

CH 11B

SEC 1131B – PASSENGER DROP-OFF AND LOADING ZONES

- **1131B.2 Passenger loading zones**

Item 48.10 Related code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.2 Doors

- **1133B.2.4.1 Thresholds**

1133B.5.5 Handrails for ramps

- **1133B.5.5.1**

1133B.7 Walks and sidewalks

- **1133B.7.1.1 Slopes less than 6 percent**
- **1133B.7.1.2 Slopes 6 percent or greater**
- **1133B.7.3 Five-percent gradient**
- **1133B.7.4 Changes in level**

Item 48.11 Related code change(s):

CH 11C

SEC 1101C – CARD-READER DEVICES AT FUEL-DISPENSING EQUIPMENT

- **LEVEL ACCESSIBLE AREA**

Reason: DSA is amending Sections 1133B.5.1, 1133B.5.2 and 1133B.5.3 to be consistent with terminology used in the federal ADA Standards and the new Access Board guidelines, and to clarify the scoping requirements for ramps. The federal ADA Standards and Access Board guidelines utilize the terms “curb ramp” and “ramp”; DSA is amending the definitions and terminology in these sections to be consistent. The code requirements for ramps are applicable to all ramps on an accessible route, and not just to ramps used as exits or that serve an exit way. Section 1133B.5 is being amended to clarify that all ramps shall conform to the provisions of the section.

Slope references in these sections and other related sections are being amended to provide consistency throughout Chapters 11B and 11C. The format is being changed to reflect the 2006 IBC (model code) format. This format change does not create a change in regulatory effect.

Item 49. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.5 Ramps

- **1133B.5.3 Slope (Table)**

Reason: DSA is amending the sample ramp dimensions table to provide clarity for code users. The current table copied from ADA Standards Figure 16 has been the source of significant misinterpretation. DSA is replacing the current table with sample ramp dimensions found in the Access Board’s “Guide to the ADAAG” Section 4.8.2, Ramps-Slope and Rise, found at <http://www.access-board.gov/adaag/about/guide.htm>. The information provided by the Access Board is more explanatory regarding the maximum length of ramps.

Item 50. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.7 Walks and sidewalks

- **1133B.7.4 Changes in level**

Reason: DSA is repealing this section and replacing it with a reference to Section 1124B.2 Changes in Level. Currently this section requires that where a change in level greater than 1/2 inch is necessary, it shall comply with the requirements for curb ramps. Where a walk or sidewalk crosses a curb, a curb ramp is appropriate to negotiate the level change. However, when a walk or sidewalk requires a change in level greater than 1/2 inch

in locations other than a curb, a ramp or other means would be appropriate. Current language does not permit a ramp in these other locations. Replacing the requirements currently found in this section with a reference to Section 1124B.2 will provide consistency for code users.

Item 51. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.7 Walks and sidewalks

- **1133B.7.6 Walks with continuous gradients**

Reason: DSA is amending this section to clarify the requirements for level resting areas on walks with continuous gradients. This section currently may be misinterpreted as to the maximum distance between level areas. DSA is amending this section to read, "... level areas at least 5 feet (1524 mm) in length at intervals of 400 feet (121 920) maximum". This change does not create a change in regulatory effect.

Item 52. Proposed code change(s):

CH 11B

SEC 1133B – GENERAL ACCESSIBILITY FOR ENTRANCES, EXITS AND PATHS OF TRAVEL

1133B.7 Walks and sidewalks

- **1133B.8.7 Detectable warnings at reflecting pools**

Reason: SBS #624, Page 204 – ADA Standards Section 4.29.6. The CBC currently does not contain a provision for detectable warnings at reflecting pools. This section is being added to align with ADA Standards Section 4.29.6.

Item 53. Proposed code change(s):

CH 11B

SEC 1134B – ACCESSIBILITY FOR EXISTING BUILDINGS

- **1134B.1 Scope**

Reason: SBS #196, Page 65 – ADA Standards Section 4.1.6(1)(a). The CBC currently does not contain a provision clarifying that no renovation, structural repair, alteration or addition shall be undertaken which decreases accessibility or usability of an existing building or facility below the requirements for new construction. This section (2nd paragraph) is being added to align with ADA Standards Section 4.1.6(1) (a).

Item 54. Proposed code change(s):

CH 11B

SEC 1134B – ACCESSIBILITY FOR EXISTING BUILDINGS

1133B.2 General

1134B.2.1 A primary entrance ...

- **Exception: 1**

Reason: DSA is amending this section to update the valuation threshold example provided to reflect the current 2008 amount. This change does not create a change in regulatory effect.

Chapter 11B Figure change(s):

DSA is also making amendments to various figures listed below:

FIGURE 11B-2A - SHOWER STALLS - DSA is amending this figure to be consistent with the proposed code change to Section 1115B.4.4. The dimension indicating the height of the centerline of the controls above the shower floor is being revised to reflect a range of 39" to 41".

FIGURE 11B-2B - SHOWER STALLS (CONT) - DSA is amending this figure to be consistent with the proposed code change to Section 1115B.4.4. The dimension indicating the height of the centerline of the controls above the shower floor is being revised to reflect a range of 39" to 41".

FIGURE 11B-2C - SHOWER STALLS (CONT) - DSA is amending this figure to be consistent with the proposed code change to Section 1115B.4.4. The dimension indicating the height of the centerline of the controls above the shower floor is being revised to reflect a range of 39" to 41".

FIGURE 11B-18A - DOUBLE PARKING STALLS – DSA is amending this figure to be consistent with the proposed code changes to Section 1129B.3 Items 1 and 2. The dimension indicating the distance between hatched lines within the loading and unloading access aisle is being revised to read “STRIPES AT 36” MAXIMUM ON CENTER”.

FIGURE 11B-18B - SINGLE PARKING STALLS – DSA is amending this figure to be consistent with the proposed code changes to Section 1129B.3 Items 1 and 2. The dimension indicating the distance between hatched lines within the loading and unloading access aisle is being revised to read “STRIPES AT 36” MAXIMUM ON CENTER”.

FIGURE 11B-18C - DIAGONAL PARKING STALLS – DSA is amending this figure to be consistent with the proposed code changes to Section 1129B.3 Items 1 and 2. The dimension indicating the distance between hatched lines within the loading and unloading access aisle is being revised to read “STRIPES AT 36” MAXIMUM ON CENTER”.

FIGURE 11B-26A - LEVEL MANEUVERING CLEARANCE AT DOORS (continued) – DSA is amending this figure to correct inconsistencies in the graphics. Clear floor space boundaries are being extended and dimension lines relocated to clarify code requirements. These changes do not create a change in regulatory effect.

FIGURE 11B-26B - LEVEL MANEUVERING CLEARANCE AT DOORS – DSA is amending this figure to correct inconsistencies in the graphics. Clear floor space boundaries are being extended and dimension lines relocated to clarify code requirements. These changes do not create a change in regulatory effect.

FIGURE 11B-27 - RAMPS AND SIDEWALKS – DSA is amending this figure to delete a line inadvertently incorporated into the drawing. This change does not create a change in regulatory effect.

FIGURE 11B-35 - WARNING STRIPING AND HANDRAIL EXTENSIONS – DSA is amending this figure to be consistent with the proposed code changes to Sections 1133B.4.4, 1133B.4.5.2 and 1133B.4.5.3. The contrasting striping at each stair tread is being revised graphically to clarify the required location. The dimension indicating the width of the contrasting striping is being revised to reflect a range of 2” minimum to 4” maximum. The permissible riser slope remains the same, but it is shown measured relative to the vertical rather than the horizontal. The projection of a nosing past the face of the riser below is being revised from 1-1/2” to 1-1/4”. The dimension line indicating the height of the top of the handrail gripping surface above the stair nosing has been relocated to clarify the code requirement.

FIGURE 11B-36 - STAIR HANDRAILS – DSA is amending this figure to correct an inconsistency in the graphics. A dashed line was changed to a solid line to clarify code requirements. This change does not create a change in regulatory effect.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

DSA relied on the following documents in proposing these regulation(s):

- 2007 edition of the California Building Code (CBC), Title 24, Part 2
- The federal ADA of 1990 as adopted by the United States Department of Justice (USDOJ).
- Title III of the ADA
- ADA Standards for Accessible Design (ADA Standards)
- A detailed side-by-side comparison of the ADA Standards and the accessibility requirements of the CBC.
- The USDOJ letter of initial response

CONSIDERATION OF REASONABLE ALTERNATIVES

In order to increase public participation and improve the quality of these regulations DSA involved parties who would be subject to these proposed regulations in public discussions. The purpose of the public discussions was to receive reasonable alternatives to these regulations from the public.

Public meetings of the Division of the State Architect Advisory Board (DSAAB) Access Committee were held on Wednesday, September 19, 2007, 10:30 a.m. – 3:30 p.m. and Monday, October 01, 2007, 10:00 a.m. – 4:00 p.m., at Division of the State Architect, 5th Floor, Conference Room B, 1102 Q Street, Sacramento, CA 95811.

The meeting facilities were accessible. Requests for special accommodations (assisted listening device, sign language interpreters, teleconference equipment, etc) were accepted.

Participation via video conference was also available at the following locations:

Video Conference

DSA – Oakland
1515 Clay Street, Suite 1201
Oakland, CA 94612
(510) 622-3101

Video Conference

DSA – Los Angeles
700 N. Alameda
Ste. 5-500
Conf. Rm 5-599
Los Angeles, CA 90012
(213) 897-3995

Video Conference

DSA – San Diego
16680 W. Bernardo Dr.
Conf. Rm. A
San Diego, CA 92127
(858) 674-5400

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

DSA has made a determination that this proposed regulatory action will not have an adverse impact on small business. DSA has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which this action is proposed, or would lessen any adverse impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS

DSA has made an initial determination that this proposed action would not have a significant adverse economic impact on business. This proposed action would ensure that the State Architect's regulations and accessibility standards published in CCR, Title 24, Part 2, would not prescribe a lesser standard of accessibility or usability than provided by the Federal Accessibility Guidelines prepared by the federal Access Board as adopted by the United States Department of Justice to implement the ADA of 1990 (Public Law 101-336), consistent with Government Code Section 4450(c).

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

DSA is not within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal.

DSA is proposing to amend building standards contained in the 2007 edition of the California Building Code, specifically accessibility standards for accessible design of public buildings, public accommodations, commercial buildings and public housing.

DSA is also proposing to amend building standards, as part of the United States Department of Justice ADA certification of the California Building Code.

The Federal Americans with Disabilities Act (ADA) of 1990; ADA Standards for Accessible Design, 28 Code of Federal Regulations Part 36, revised as of July 1, 1994; and the federal Fair Housing Amendments Act of 1988 are the only federal provisions the DSA is aware of which may apply to the proposed Certification by the United States Department of Justice of these standards.